

Submitted January 14, 2012  
Approved as of  
Date January 14, 2012

**MINUTES OF THE ROCKVILLE BOARD OF APPEALS  
MEETING NO. 11-11  
Saturday, December 10, 2011**

The City of Rockville Board of Appeals convened in regular session in the Mayor and Council Chambers at 9:30 a.m., Saturday, December 10, 2011.

**PRESENT**

Peter Mork, Chair  
Alan Sternstein  
Stephen Ravas, Alternate

**Absent:** Steven Wilcox

**Present:** Cindy Walters, Assistant City Attorney  
Jim Wasilak, Chief of Planning  
Bobby Ray, Principal Planner  
Castor Chasten, Planner III

**I. PUBLIC HEARING**

There was no Public Hearing.

**II. DECISIONS**

No decisions were made.

**III. NEW BUSINESS**

- A. The Board elected Dr. Steven Wilcox, in his absence, as Chair of the City of Rockville Board of Appeals for calendar year 2012 based on the past policy to rotate.

*Mr. Sternstein moved, seconded by Mr. Ravas to elect Dr. Steven Wilcox as Chair of the City of Rockville Board of Appeals for calendar year 2012. The motion passed 3-0.*

- B. The Board reviewed the 2012 BOA Meeting Calendar.

*Mr. Ravas moved, seconded by Mr. Sternstein to accept the Board of Appeals calendar for 2012. The motion passed 3-0.*

#### **IV. OLD BUSINESS**

**Rules of Procedures** – Board and Staff conclude their discussion of the Rules of Procedure focusing on two outstanding items: 1) Reconsideration vs. Rehearing and 2) Presentation of Expert Testimony.

Mr. Sternstein asked to go over some of the previous changes in the following areas: Filings before the Board, Preparation of Cases, Hearings and Meetings under Expert Witness Testimony.

Ms. Walters asked to go over several comments from Dr. Wilcox, in his absence in the following areas: Clarification of Procedures, Clarify the term “mistake”, Define Supermajority and Preparation of draft decision by the Board for Special Exception (or variance) applications.

The Board and Ms. Cindy Walters continued their conversation on Reconsideration vs. Rehearing, and Review of Decisions and Enforcement by suspending or revoking its zoning approval.

Board and Staff agree to finalize the Rules and Procedures and have them ready for approval at the next meeting in January.

#### **V. MINUTES**

#### **VI. FYI**

The Board has received two resumes for the BOA vacant seat but they will operate as a three-member Board until someone is appointed.

#### **VII. ADJOURN**

There being no further business to come before the Board, the Chair adjourned the meeting at 10:30 a.m.

Respectfully Submitted

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Sandra Y. Driver, Commission Secretary